

REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks. Claims 8, 11 and 21 have been cancelled. Claims 1-5, 9, 10, 12, 14-18 and 22 have been amended. Antecedent basis is located throughout Applicant's specification and the original claims (e.g., paragraphs 0019, 0024, 0025, 0027, 0030, 0031 and 0047). Claims 1-7, 9, 10, 12-20 and 22 are pending.

The Office Action objected to the drawings. Applicant has amended the specification, so that the specification is consistent with the drawings. Also, please note that reference character 212 is mentioned in the description at paragraph 0031. Accordingly, no new matter has been entered.

Rejection of the claims

The Office Action rejected claims 1, 10 and 14 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,928,526 ("Zhu").

As amended, claim 1 recites:

1. A method of storing information related to a file, comprising:
obtaining content and metadata of the file, wherein the file was stored in a first environment;
in a second environment, storing the content and the metadata, wherein the content is associated with the metadata, and wherein the second environment is different from the first environment;
obtaining a location where the file was stored in the first environment; and
in the second environment, storing the location, wherein the location is associated with at least one of: the content; and the metadata.

As amended, claim 10 recites:

10. A database for storing components of a file that was stored in a first environment, the database comprising a data processing system readable medium having code embodied within the data processing system readable medium, the code comprising instructions for:

a content hash table in a second environment, wherein an entry in the content hash table includes: content of the file; and at least one link for metadata associated with the content, wherein the second environment is different from the first environment;

a metadata hash table in the second environment, wherein an entry in the metadata hash table includes: metadata of the file; and at least one link for content associated with the metadata; and

a location hash table in the second environment, wherein an entry in the location hash table includes: a location where the file was stored in the first environment; and at least one link for at least one of: content associated with the location; and metadata associated with the location.

As amended, claim 14 recites:

14. A data processing system readable medium having code for storing information related to a file, wherein the code is embodied within the data processing system readable medium, the code comprising instructions for:

obtaining content and metadata of the file, wherein the file was stored in a first environment;

in a second environment, storing the content and the metadata, wherein the content is associated with the metadata, and wherein the second environment is different from the first environment;

obtaining a location where the file was stored in the first environment; and

in the second environment, storing the location, wherein the location is associated with at least one of: the content; and the metadata.

In MPEP § 2131, the PTO provides that:

“[t]o anticipate a claim, the reference must teach every element of the claim....”

Therefore, to sustain a rejection of claim 1, Zhu must contain all of the above-recited elements in claim 1. However, Zhu fails to teach the combination of elements in claim 1.

For example, Zhu fails to teach the following combination of elements in claim 1: “wherein the file was stored in a first environment”; “in a second environment, storing the content and the metadata, wherein the content is associated with the metadata, and wherein the second environment is different from the first environment”; “obtaining a location where the file was stored in the first environment”; and “in the second environment, storing the

location, wherein the location is associated with at least one of: the content; and the metadata.”

Accordingly, Zhu fails to support a rejection of claim 1 under 35 U.S.C. § 102(e). In relation to claims 10 and 14, Zhu is likewise defective in supporting a rejection under 35 U.S.C. § 102(e).

Moreover, as stated in MPEP § 2142, “...The examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. If the examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of nonobviousness...” Also, MPEP § 2142 states: “...the examiner must step backward in time and into the shoes worn by the hypothetical ‘person of ordinary skill in the art’ when the invention was unknown and just before it was made...The examiner must put aside knowledge of the applicant’s disclosure, refrain from using hindsight, and consider the subject matter claimed ‘as a whole.’” Further, MPEP § 2143.01 states: “The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.”

In relation to claim 1, Zhu is defective in establishing a prima facie case of obviousness. As between Zhu and Applicant’s specification, only Applicant’s specification teaches the combination of elements in claim 1. Accordingly, the PTO’s burden of factually supporting a prima facie case of obviousness has not been met.

In relation to claims 10 and 14, Zhu is likewise defective in establishing a prima facie case of obviousness.

Thus, a rejection of claims 1, 10 and 14 is not supported.

Conclusion

For these reasons, and for other reasons clearly apparent, Applicant respectfully requests allowance of claims 1, 10 and 14.

Dependent claims 2-7 and 9 depend from and further limit claim 1 and therefore are allowable.

Dependent claims 12 and 13 depend from and further limit claim 10 and therefore are allowable.


Dependent claims 15-20 and 22 depend from and further limit claim 14 and therefore are allowable.

To the extent that this Accompanying Amendment results in additional fees, the Commissioner is authorized to charge deposit account no. 50-3524.

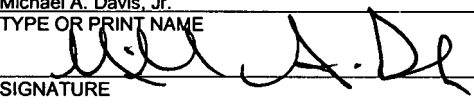
An early formal notice of allowance of claims 1-7, 9, 10, 12-20 and 22 is requested.

Applicant has made an earnest attempt to place this case in condition for allowance. If any unresolved aspect remains, the Examiner is invited to call Applicant's attorney at the telephone number listed below.

Respectfully submitted,


Michael A. Davis, Jr.
Registration No. 35,488

Date: July 19, 2007
Davis Law Group, P.C.
6836 Bee Caves Road
Suite 220
Austin, TX 78746
Telephone 512-306-8324
Facsimile 512-306-8374
Docket Number: 1024.7

I hereby certify that this paper is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Michael A. Davis, Jr.	_____
TYPE OR PRINT NAME	_____
	_____
SIGNATURE	_____
July 19, 2007	_____
DATE OF MAILING	_____